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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,314	08/25/2000	Andrej Gregov	249768045US	6403
25096	7590	03/13/2007		
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247			EXAMINER LEROUX, ETIENNE PIERRE	
			ART UNIT	PAPER NUMBER
			2161	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/13/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/648,314	<b>Applicant(s)</b> GREGOV ET AL.	
	<b>Examiner</b> Etienne P LeRoux	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15,16, 27-35 and 40-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15,16,27-35 and 40-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

***Claim Status:***

Claims 1-14, 17-20, 25, 26 are cancelled. Claims 21-24 and 36-39 are withdrawn.  
Claims 15, 16 and 27-35 and 40-51 are pending. Claims 15, 16, 27-35 and 40-51 are rejected as detailed below.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 15, 16, 27-31, 45 and 48 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,412,012 (Bieganski et al), hereafter Bieganski.

**Claims 15, 16, 27-31, 45 and 48:**

Bieganski discloses:

receiving requests from the user to display information about each of a plurality of items  
[shopping set 202, Fig 2, col 7, line 65 through col 8, line 15]

selecting as seed items the plurality of items that were displayed [shopping set 202, Fig 2, col 7, line 65 through col 8, line 15]

generating a list of recommended items using the selected seed items, wherein the generated list does not contain the selected seed items [recommendation set 201, Fig 2, col 7, lines 45-65]

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displaying the generated list of recommended items to the user [display 116, Fig 1]

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bieganski as applied to claim 27 above, and further in view of Cluts.

Claim 32:

Bieganski discloses the elements of the claimed invention as noted above but does not disclose wherein a distinguished one of the product groups comprises products that are recordings of a single artist, and wherein the information displayed for the distinguished product group describes the artist. Cluts discloses wherein a distinguished one of the product groups comprises products that are recordings of a single artist, and wherein the information displayed for the distinguished product group describes the artist [col 12, lines 45-50]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bieganski to include wherein a distinguished one of the product groups comprises products that are recordings of a single artist, and wherein the information displayed for the distinguished product group describes the artist as taught by Cluts for the purpose of adding new songs to a current playlist [abstract]

Claim 33:

The combination of Bieganski discloses the elements of the claimed invention as noted above and furthermore discloses wherein a distinguished one of the product groups comprises products that are books written by a single author, and wherein the information displayed for the distinguished product group describes the author [Bieganski; col 5, lines 20-25]

Claim 34:

The combination of Bieganski discloses the elements of the claimed invention as noted above and furthermore discloses wherein the control displayed for a distinguished product group is a button that is selected by the user by clicking the button [Cluts; Fig 5]

Claims 40-42, 46, 47 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bieganski as applied to claim 15 above, and further in view of US Pat No 6,850,899 (Chow et al), hereafter Chow.

Claims 40, 46 and 49:

Bieganski discloses the elements of the claimed invention as noted above but does not disclose removing an item from the plurality of items selected as seed items in response to a request from the user. Chow discloses removing an item from the plurality of items selected as seed items in response to a request from the user [Fig 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bieganski to include removing an item from the plurality of items selected as seed items in response to a request from the user as taught by Chow for the purpose of removing an item which the shopper considers too expensive.

Claims 41, 42 and 47:

The combination of Bieganski and Chow discloses the elements of the claimed invention as noted above but does not disclose adding an item to the plurality of items selected as seed items in response to a request from a user [abstract]

Claims 43 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Bieganski and Chow as applied to claim 42 above, and further in view of Cluts.

Claim 43 and 50:

The combination of Bieganski and Chow discloses the elements of the claimed invention as noted above but does not disclose wherein the control is a button that is selected by the user clicking the button. Cluts discloses wherein the control is a button that is selected by the user clicking the button [Fig 5]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include Cluts discloses wherein the control is a button that is selected by the user clicking the button as taught by Cluts for the purpose of activating the selection.

Claims 35 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Bieganski as applied to claim 27 in view of US Pat No 5,897,650 issued to Nakajima et al (hereafter Nakajima).

Claims 35 and 51:

Bieganski discloses the elements of claim 27 as noted above. Bieganski fails to disclose wherein the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a destination region, and wherein the

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control displayed for the distinguished product group is selected by the user by dragging the draggable portion of the information describing the product group to the destination region. Nakajima discloses wherein the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a destination region, and wherein the control displayed for the distinguished product group is selected by the user by dragging the draggable portion of the information describing the product group to the destination region [Fig 2]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bieganski to include wherein the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a destination region, and wherein the control displayed for the distinguished product group is selected by the user by dragging the draggable portion of the information describing the product group to the destination region as taught by Nakajima for the purpose of creating a scrap book via the drag-and-drop mechanism [step 30 in Fig 23]. The skilled artisan would have been motivated to improve the invention of Bieganski such that information can be easily inputted and outputted from a document via the drag-and-drop mechanism.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Bieganski and Chow as applied to claim 42 in view of Nakajima.

Claim 44:

The combination of Bieganski and Chow discloses the elements of the claimed invention as noted above but does not disclose wherein the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a

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destination region, and wherein the control displayed for the distinguished product group is selected by the user by dragging the draggable portion of the information describing the product group to the destination region. Nakajima discloses wherein the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a destination region, and wherein the control displayed for the distinguished product group is selected by the user by dragging the draggable portion of the information describing the product group to the destination region [Fig 2]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the control displayed for a distinguished product group is a draggable portion of the information describing the product group, together with a destination region, and wherein the control displayed for the distinguished product group is selected by the user by dragging the draggable portion of the information describing the product group to the destination region as taught by Nakajima for the purpose of creating a scrap book via the drag-and-drop mechanism [step 30 in Fig 23]. The skilled artisan would have been motivated to improve the invention of the above combination of references such that information can be easily inputted and outputted from a document via the drag-and-drop mechanism.

### ***Response to Arguments***

Applicant's arguments filed 2/26/2007 have been fully considered but are moot based on above new grounds of rejection required by applicant's claim amendments.



***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

3/8/2007

*Etienne P LeRoux*  
*primary examiner*